

Oct. 5, 2004

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**HEALDSBURG CITY COUNCIL DECIDES TO DROP OUT OF TRINITY
RIVER LITIGATION**

Healdsburg, Calif. – At their Oct. 4 meeting here the Healdsburg City Council unanimously agreed to send a resolution to the Northern California Power Agency (NCPA) asking the agency to stop legal actions blocking the restoration of the Trinity River in Humboldt County. The council's vote follows a pattern of other political entities that have voted to pay a little more for their energy instead of ruining the river's fishery. Healdsburg joins Palo Alto, Alameda and the Port of Oakland in withdrawing their NCPA member support from the lawsuit. The Sacramento Metropolitan Utility District (SMUD) also voted to pull out of the lawsuit last year after the Hoopa Valley Tribe asked them to not block restoration of the river.

On July 13, the U.S. Ninth Circuit Court ruled in favor of the federal Department of Interior (DOI) and the Hoopa Valley Tribe (HVT) by granting more water for the Trinity River fishery. The NCPA and the Westlands Irrigation District have litigated for four years to continue taking water from the river for agricultural and hydropower uses. After the ruling NCPA and Westlands asked for a rehearing of the issue by a complete panel of Ninth Circuit Court judges. Hoping to avoid delays in restoration work, the Hoopa Valley Tribe asked Healdsburg city councilpersons to withdraw their support of the rehearing strategy. The Healdsburg action is significant because Vice-Mayor Jason Liles is Chairman of the NCPA Legislative Committee.

"It's time to get out of this," Liles told his fellow councilpersons during the meeting. Mayor Lisa Wittke Schaffer agreed, "I was touched by the fact that this river is literally part of the Hoopa Valley people." The council heard testimony from local environmentalist Brian Gegan and a representative of the tribe. A letter from Hoopa Valley Chairman Clifford Lyle Marshall noted, "I know that Healdsburg residents have often advocated to protect the beautiful rivers in your area. For this reason I am confident many of them would thank your for a vote to protect the Trinity River."

The NCPA, a consortium of northern California political entities, benefits from relatively cheap hydropower from the flows of the Trinity River diversions. Mike Orcutt, Director of the HVT Fishery Department, said NCPA would continue to receive hydroelectric benefits when the river restoration plan goes forth. "The restoration plan still exports the majority of the water out of the river; but it leaves enough water for a healthy fishery."

Marshall said education was the key to getting NCPA members to drop the lawsuit. “We are grateful to all of the elected officials who have been fair-minded enough to recognize the Trinity River can be saved with little impact on power rates,” said Marshall. He said some decisions were a blend of environmental ethics and energy pragmatics. “Communities are converting to other forms of energy so they don’t have to ruin the Trinity River,” said Marshall.

The NCPA is a primary litigant blocking a Record of Decision (ROD) signed in 2000 by then Secretary of Interior Bruce Babbitt after 20 years of study and negotiations with the Hoopa Valley Tribe. The NCPA, Westlands Irrigation District and SMUD immediately filed a lawsuit against the Department of Interior (DOI) preventing the ROD restoration work. The Hoopa Valley Tribe joined the DOI in defense of the ROD in 2001.

Since 1964 the U.S. Bureau of Reclamation has diverted most of the river’s water, in some years up to 90%, to the Central Valley Project for agricultural and energy uses. Because fish populations in the river were devastated by dams and low stream flows, Congress began studying how to restore the river in the 1980’s. The ROD allows 53% of the river’s water to be exported, while leaving 47% in the river for fishery rehabilitation. “Energy and agriculture will continue to benefit from the waters of the Trinity River,” said Marshall. “The difference will be that the river and the fish won’t die.”